

Message Text

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ACTION EA-14

INFO OCT-01 ISO-00 XMB-07 AID-20 L-03 EB-11 RSC-01 DRC-01

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P 260306Z AUG 74

FM AMEMBASSY JAKARTA

TO SECSTATE WASHDC PRIORITY 4055

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E.O. 11652: N/A

TAGS: CPRS ID

SUBJECT: P.T. BAUD CLAIM

REF: JAKRTA 10315

1. PURSUANT TO MEETING WITH KIM ADHATMAN (REF) AND BRIEF SUBSEQUENT DISCUSSION WITH FOREIGN MINISTER MALIK, I CALLED ON MINISTER OF PLANNING WIDJOJO AUGUST 24, COHN ACCOMPANIED, TO DISCUSS BAUD CLAIM. MINISTER OF MINES SADLI WHO NOT INVOLVED IN GOI ROLE IN BAUD CASE HAPPENED TO BE IN WIDJOJO'S OFFICE AT SAT IN ON DISCUSSIONS. AFTER I REVIEWED HISTORY OF CASE AS WE UNDERSTAND IT AND OUTLINED SULLIVAN'S CONTEMPLATED EFFORTS IN WASHINGTON, WIDJOJO EXPLAINED THAT ALL SETTLED CLAIMS AND PRESENTLY UNSETTLED BELGIAN, DUTCH AND BRITISH CLAIM WERE HANDLED IN SAME MANNER AS BAUD WITH REPRESENTATIVES OF CLAIMANTS MEETING WITH WORKING LEVEL COMMITTEE TO SORT OUT DETAILS AND MAKE RECOMMENDATIONS TO MINISTERIAL LEVEL GROUP HEADED BY WIDJOJO IN HIS ROLE AS EKUIN.

2. WIDJOJO WAS BRIEFED AND AWARE MOST DETAILS OF MATTER. HE NOTED POINT THAT THERE WAS NO RECORD THAT BAUD EVER SUBMITTED ITS APPLICATION FOR TWO FREEHOLDS IN ACCORDANCE WITH 1959 LAW
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AND INDICATED HAT TAX RECEIPTS NOT NECESSARILY

ACCEPTABLE EVIDENCE THAT GOI CONTINUED TO
RECOGNIZE BAUD'S FREEHOLD RIGHTS. HE UNDERSTOOD
THAT DESPITE THIS QUESTION THAT THERE HAD BEEN
INFORMAL COMMITTEE AGREEMENT ON VALUATION OF LAND
AT TIME OF EXPROPRITION BUT DID NOT UNDERSTAND
HOW SULLIVAN REACHED \$22 MILLION PLUS WHICH
WE CLARIFIED.

3. I EMPHASIZED SULLIVAN DID NOT FEEL HE HAD HAD
SATISFACTORY HEARINGS IN PREVIOUS SESSION WITH
COMMITTEE AND STATED I HOPED HE MIGHT BE ABLE
MEET WITH MINISTER FOR FULL EXAMINATION OF MATTER.
IT WAS AGREED THAT EMBASSY WOULD ACQUIRE SULLIVAN'S
MINUTES OF FOUR MEETINGS WITH INTERDEPARTMENTAL
COMMITTEE IN SPRING 1974 AND PASS THEM TO WIDJOJO
TOGETHER WITH STATEMENT OF COMPANY'S POSITION ON
MAIN ISSUES WHO WOULD THEN REVIEW THEM IN COMPARISON
WITH COMMITTEE'S OWN MINUTES. HE SAID HE AGREED
MEETING OF COMMITTEE WITH SULLIVAN SHOULD BE
PRECEDED BY ADVANCE PREPARATION. HE ADMITTED
COMMITTEE HAD HAD LITTLE FLEXIBILITY IN PREVIOUS
SESSIONS. HE SAID HE WILL REVIEW DOCUMENTS AND
GET IN TOUCH WITH EMBASSY IN ORDER TO SET A DATE
FOR HIM TO MEET WITH SULLIVAN.

4. IN LIGHT FOREGOING WE DO NOT BELIEVE THAT
ANY OTHER ACTION IN CONNECTION THIS CLAIM WOULD BE
JUSTIFIED THIS TIME. WE SUGGEST THAT DEPARTMENT ATTEMPT TO
CONTACT SULLIVAN AND PASS REPORT OF MY MEETING
WITH WIDJOJO TO HIM. MEANWHILE WE HAVE CONTACTED
TOM ATKINSON, SEA OIL AND GENERAL EXECUTIVE VICE
PRESIDENT WHO HAS REMAINED IN JAKARTA AFTER
SULLIVAN'S RETURN TO WASHINGTON. WE URGED THAT
HE MEET WITH ABDUL RACHMAN AS ADVISED BY KIM
ADHYATMAN AND HE WILL PROVIDE SULLIVAN'S MINUTES
AND NOTES ON THE SPRING MEETINGS WHICH EMBASSY WILL
PASS TO WIDJOJO.
NEWSOM

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